

## REMARKS

Claims 1, 5-10 and 12-20 were rejected under 35 USC 102(a) as being anticipated by Mori (U.S. Patent No. 4,613,782). This rejection is respectfully traversed.

Claim 1 recites "a regulating member regulating a displacement of the driving unit, the regulating member facing the base member opposite from the driven member at a prescribed distance from the base member." Mori does not disclose or suggest such a regulating member that is at a prescribed distance from the base member.

The Examiner asserted that Mori teaches regulating displacement of the driving unit with elements 20a, b (Fig. 5), 99 (Fig. 9) or 116 (Fig. 10) with a prescribed distance between the base and the regulating (or fixed) structure. The Examiner asserted that "this distance can be the thickness gaps shown in figs. 9 and 10." Applicants respectfully disagree.

The embodiment of Fig. 5 of Mori shows that fixed walls 20a, b, which the Examiner believes correspond to the claimed regulating member, are in direct contact with spring members 22a, b, which in turn are in direct contact with the base. Thus, according to the embodiment shown in Fig. 5, there is no distance between the regulating member and the base member. Instead, the spring member 22a,b is interposed between the fixed wall 20a, b and the base 17, with no open space between any of these elements.

Claim 1 recites that the regulating member faces the base member. The claimed base member is not fixed, as in Mori, but is supported by a spring member attached thereto. As stated in the specification at page 2, lines 14-16, when the base member is fixed, as in Mori, the oscillation of the base member is hindered and the desired elliptical locus cannot be obtained. Also, as clearly seen in Fig. 5 of Mori, the fixed wall does not face the base, but has a spring member disposed therebetween. As can be seen in Fig. 1 of this application, the regulating

member is spaced a prescribed distance from the base member and faces the base member. The embodiment shown in Fig. 5 of Mori does not disclose or suggest these features.

The Examiner asserts that the claimed distance is taught by the "thickness gaps" shown in figs. 9 or 10. Referring to the embodiment shown in Fig. 9 of Mori, the base 17 is actually attached to the casing 99 via a hinge 98 and a bolt 99A. Although not specifically asserted by the Examiner, Applicants assume that the Examiner is interpreting the casing as corresponding to the claimed regulating member. However, the casing is actually physically attached to the base, and there is no prescribed distance between these elements, as they are connected. On the side opposite the side with the hinge, the casing is connected to a spring 19a, which receives the base 17. Thus, as in the embodiment shown in Fig. 5 of Mori, the regulating member and the base do not face each other and are not spaced a prescribed distance apart because they are actually connected at one end and have a spring interposed therebetween at the other end. Applicants do not understand where thickness gaps are shown in Fig. 9 or how these supposed gaps relate to the claimed prescribed distance between the base member and the regulating members. The same is true of claim 10. Applicants respectfully request that the Examiner clarify he meant by the term "thickness gap" and where this is shown in the drawings.

Claim 10 recites essentially the same limitation as quoted above with respect to claim 1. Specifically, claim 10 recites a spring member attached to the base member biasing the synthesizing member onto the driven member. According to claim 10, the regulating member regulates displacement of the driving unit and faces the base member. However, the base member is not fixed, as in the embodiments disclosed in Mori.

Claim 16 also recites regulating a displacement of the driving unit, which is not disclosed or suggested in Mori, as discussed above. The remaining claims are allowable at least due to

their respective dependencies.

In addition to the arguments above, the Examiner is relying on the embodiment disclosed in Fig. 5 and impermissibly supplementing the teachings in Fig. 5 with the teachings in Fig. 9 or Fig. 10. As explained above, none of these embodiments teaches or suggest the features of claim

*Comment*  
1. These are three separate embodiments, and the Examiner is picking and choosing elements among the three embodiments without regard to whether the reference actually teaches the combination. The Examiner is not allowed to merely pick and choose elements among different embodiments and combine them in this manner without pointing to disclosure in the reference itself which motivates such a combination.

In accordance with the foregoing remarks, Applicants respectfully request that this rejection be withdrawn.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 325772025600.

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